



# Disability and Inclusion Policy and Procedures



**VERMONT COMMISSION ON NATIONAL AND COMMUNITY SERVICE**  
Improving Vermonters' Lives Through Voluntary Service



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## Mission

The Vermont Commission on National and Community Service (VT CNCS) encourages individuals with disabilities to participate as national service members and participants. VT CNCS believes that people of all abilities can serve and make a difference in Vermont.

## Definition of Disability

According to the ADA, the term "disability" means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the individual's major life activities, a record of having such an impairment, or being regarded as having such an impairment. "Major life activities" means functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, etc. Additionally, a "qualified individual with a disability" is an individual with a disability who, with or without reasonable accommodations, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the program.

## Policy

Under Federal law, any program which receives federal funds is required to comply with the requirements of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act. In compliance with the Federal law, all AmeriCorps programs prohibit any form of discrimination against persons with disabilities in recruitment, as well as in service. No qualified individual with a disability shall, by reason of disability, be excluded from participation in or be denied the benefits of the program, services, or activities of the program, or be subjected to discrimination by the program. Nor shall the program exclude or otherwise deny equal services, programs, or activities to an individual because of the known disability.

## Reasonable Accommodation

A reasonable accommodation is any modification or adjustment to a program site that will enable a qualified applicant or AmeriCorps member with a disability to participate in the application process or to perform essential service functions. Reasonable accommodation also includes adjustments to assure that a qualified individual with a disability has rights and privileges in service equal to those of individuals without disabilities.

All AmeriCorps programs shall make reasonable accommodations in practices and/or procedures when the accommodations are necessary to avoid discrimination on the basis of disability. Accommodations are "reasonable" when they are practical or feasible. The program does not have to provide reasonable accommodations that would impose undue hardship on the operation of the program. According to the U.S. Equal Employment Opportunity Commission (EEOC):

*It is not necessary to provide a reasonable accommodation if doing so would cause an undue hardship. Undue hardship means that an accommodation would be unduly costly, extensive,*



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*substantial or disruptive, or would fundamentally alter the nature or operation of the business. Among the factors to be considered in determining whether an accommodation is an undue hardship are the cost of the accommodation, the employer's size, financial resources and the nature and structure of its operation.*

## **Reasonable Accommodations May Include:**

1. Making existing facilities accessible to and usable by an individual with a disability.
2. Restructuring the job.
3. Modifying the work schedule.
4. Modifying the equipment or devices.
5. Installing new equipment or devices.
6. Providing qualified readers and interpreters.
7. Appropriate modification of the application and examination procedures and training materials.

## **Reasonable Accommodations Do Not Include:**

1. Eliminating a primary job responsibility.
2. Lowering production standards that are applied to all employees.
3. Providing personal use items, such as prosthetic limbs, wheelchairs, eyeglasses or hearing aids.

## **Procedure for Requesting Reasonable Accommodation Funds**

VT CNCS offers reasonable accommodation funds to assist AmeriCorps\*State, AmeriCorps\*National, and AmeriCorps Education Award Only program, Senior Corps, and Learn and Serve sites operating in the Vermont. The following is the procedure for requesting reasonable accommodation funds.

1. Program Directors of AmeriCorps\*State, AmeriCorps\*National or AmeriCorps Education Award Only program must complete the VT CNCS Application for Reasonable Accommodation Funds. In addition, the applicant must provide two cost estimates from two different vendors. To get a copy of the VT CNCS Application for Reasonable Accommodation Funds, please contact Emily Trantum, at [Emily.Trantum@ahs.state.vt.us](mailto:Emily.Trantum@ahs.state.vt.us)



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2. *AmeriCorps\*State Grantees Only*  
AmeriCorps\*State grantees (sites that receive AmeriCorps funding directly from VT CNCS) must also submit a plan to retain the member. The plan will include the following:
  - a. A copy of the member service description
  - b. Retention plan
3. Submit the complete application to:
  - a. Inclusion Officer, Emily Trantum  
Vermont Commission on National and Community Service  
103 South Main Street  
1<sup>st</sup> Floor, 4 North  
Waterbury, VT 05671-0204

## Review Process for Reasonable Accommodation Funds Request

1. VT CNCS Inclusion Officer will receive all applications confidentially.
2. VT CNCS Inclusion Officer will review all applications for completeness and accuracy.
3. VT CNCS Inclusion Officer and the Disability Inclusion partners will review the request for funding. A decision will be rendered as quickly as possible. The committee will take into account the following factors:
  - a. Will the reasonable accommodation enable the individual to perform the essential functions of the position?
  - b. Is the accommodation an undue hardship to VT CNCS?
    - i. type and cost of the accommodation needed
    - ii. impact of the accommodation funds request upon the disability inclusion funds at VT CNCS
    - iii. overall size of the program requesting funds, with respect to the number of AmeriCorps members, and the number, type and location of its facilities
  - c. Is the cost for the reasonable accommodation, reasonable?
  - d. Will the accommodation benefit other AmeriCorps members?
  - e. Will the accommodation fundamentally alter the program design?



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4. If VT CNCS approves the funds for reasonable accommodation, the program must submit receipts directly to VT CNCS Inclusion Officer.
5. If VT CNCS denies the funds for reasonable accommodation, the AmeriCorps member or program can file a grievance to have the VT CNCS decision evaluated by VT CNCS executive director and board members for final determination.

## Grievance Procedure

VT CNCS has adopted an internal grievance procedure for prompt and expeditious resolution of complaints for the denial of a reasonable accommodation. Requests for a reasonable accommodation funds that have been denied by VT CNCS may appeal the decision by filing a grievance with VT CNCS within sixty (60) days of the denial of the request. The following outlines the grievance procedure.

1. Complainant will complete the VT CNCS Reasonable Accommodation Grievance Form.
2. Submit the application to:
  - a. Inclusion Officer, Emily Trantum  
Vermont Commission on National and Community Service  
103 South Main Street  
1<sup>st</sup> Floor, 4 North  
Waterbury, VT 05671-0204
3. Complainant may also request to have an informal confidential presentation of their grievance prior to the final decision. This may be done in person or through a telephone conference.
4. VT CNCS Inclusion Officer receives grievance and forwards it to the VT CNCS Executive Director.
5. The Executive Director will review the complainants initial request for reasonable accommodation funds, the initial decision rendered by VT CNCS, the complainant's grievance form and, if requested, the informal confidential presentation by the complainant.
6. After full consideration of the grievance, the Executive Director will issue a written decision explaining the reasoning behind its decision. A copy of this decision will be forwarded to the complainant.
7. The Inclusion Officer shall maintain the confidentiality of all files and records relating to the grievance filed, unless disclosure is authorized or required by law.
8. The decision of VT CNCS's Executive Director can be further appealed directly to the Corporation for National and Community Service through VT CNCS.



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9. Any retaliation, coercion, intimidation, threat, interference, or harassment for the filing of a grievance, or used to restrain a complainant from filing, is prohibited and should be reported immediately to the Inclusion Officer.